

### Remarks/Arguments

The examiner in an Office Action dated 20 December 2002 rejected all of the pending claims 1-20. As such, this Office Action and the references cited therein have been carefully considered and this amendment is now presented in an effort to comply with Patent Office requirements and advance prosecution of the application.

The examiner rejected claims 1-20, under 35 USC 103, as being obvious over Hieronymus et al in view of Loeffler. Hieronymus et al discloses an agricultural working machine having material processing elements and crop processing elements that are monitored and controlled by microprocessors. The examiner concedes that Hieronymus et al does not teach monitoring vibrations.

Loeffler discloses a vibration sensing and diagnostic system for vehicle drive train components. The examiner asserts it would be obvious to a person having ordinary skill in the art to combine the Loeffler vibration sensing and diagnostic system with the Hieronymus et al agricultural working machine monitoring system.

With this amendment Independent claims 1 and 19 have been amended to better identify that the noise being sensed is from a material processing element. Similarly claim 3 has been amended to better identify that the noise being sensed is from a material conveying element. Loeffler does not disclose sensing the noise of a material conveying and/or processing element as called for in the currently pending claims. There is no underlying motivation taught and/or contained in these references to combine them in the manner suggested by the examiner. As such, the proposed combination is not obvious and the currently pending claims are allowable.

"Version with Markings to Show Changes Made"

1. A monitoring device for monitoring the function of a working machine, the monitoring device comprising at least one sensor that generates a sensed signal containing information on the noise caused by at least one movable element of the working machine, wherein a computer that receives the signal of the sensor and generates an output signal value based on the sensed signal delivered by the sensor and a comparative value, wherein the sensed signal of the sensor contains information on the noise caused by a driven element of the working machine where the working element is a material processing element.

3. A monitoring device ~~as defined by claim 1~~ for monitoring the function of a working machine, the monitoring device comprising at least one sensor that generates a sensed signal containing information on the noise caused by at least one movable element of the working machine, wherein a computer that receives the signal of the sensor and generates an output signal value based on the sensed signal delivered by the sensor and a comparative value, wherein the sensed signal of the sensor contains information on the noise caused by a driven element of the working machine where the working element is a material conveying element.

19. An agricultural working machine for performing an agricultural operation, the agricultural working machine comprising:

- a frame;
- wheels supporting the frame;
- a moveable element;
- an operator's cab from which the harvesting machine is controlled;
- monitoring device comprising at least one sensor that generates a sensed signal containing information on the noise caused by the movable element of the agricultural working machine, wherein a computer that receives the signal of the sensor and generates an output signal value based on the sensed signal delivered by the sensor and a comparative value, wherein the sensed signal of the sensor contains information on the noise caused by a driven element of the working machine where the working element is a material processing element.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.

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Respectfully,



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Attorney for Applicant(s)

Kevin J. Moriarty  
Reg. No. 31,045  
Patent Department  
Deere & Company  
One John Deere Place  
Moline, IL 61265  
Telephone No. (309) 765-4048

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